	Case 5:07-cv-04942-JF Document 23	Filed 03/17/2008 Page 1 of 5 **E-filed 3/17/08**	
1 2 3	VALERIE S. HIGGINS, ESQ. BAR # 238323 CASAS RILEY & SIMONIAN, LLP One First Street, Suite 2		
4	(650) 948-7200 (650) 948-7220 Fax gsimonian@legalteam.com		
5	Attorneys for Defendants THE PARKINSON'S INSTITUTE		
6 7			
8	UNITED STATES DISTRICT COURT		
9	NORTHERN DISTRICT OF CALIFORNIA- SAN JOSE DIVISION		
10			
11	LYNDA FRAYO,	CASE NO. C-07-04942-JF	
12	Plaintiff,	DEFENDANT	
13	v.	THE PARKINSON'S INSTITUTE'S MOTION FOR APPROVAL OF	
14	THE PARKINSON'S INSTITUTE, a California Corporation, and DOES 1-50	SUBSTITUTION OF ATTORNEY AND (PROPOSED) ORDER	
15 16	Defendants.		
17 18	The Parkinson's Institute hereby moves this Court to approve the substitution of its		
19	attorney, as specified herein.		
20	Gregory C. Simonian, Esq. is counsel of record for The Parkinson's Institute in the above-		
21	captioned matter. Mr. Simonian has recently joined a new law firm, and with this Court's approval		
22	will continue his representation of The Parkinson's Institute, albeit under the auspices of his new		
23	firm.		
24	Mr. Simonian was previously a partner of the following law firm:		
25	Clapp, Moroney, Bellagamba & Vucinich 1111 Bayhill Drive, Suite 300 San Bruno, CA 94066		
26			
27	<i>//</i>		
28	F:\wpdocs\Litigate\CLients\Monitor Liability Managers, Inc\Frayo v. The Parkinson's Institute\Pleadings\Substitution.wpd 1 MOTION FOR SUBSTITUTION OF COUNSEL AND ORDER CASE NO. C-07-04942-JF		

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1	As of February 19, 2008, Mr. Simonian is now a partner of the following law firm:		
2	Casas Riley & Simonian, LLP One First Street, Suite 2		
3	Los Altos, CA 94022 Tel: (650) 948-7200		
4	Fax: (650) 948-7220		
5	The Parkinson's Institute is amenable to this proposed substitution, and the managing		
6	partner of Clapp, Moroney, Bellagamba & Vucinich has been notified of this proposed change, and		
7	has no objection. (See Exhibit A, Judicial Council of California form MC-050, Substitution of		
8	Attorney, for signatures evidencing approval of change.) This Motion has been duly served on all		
9	parties to this action, including The Parkinson's Institute.		
10	For the foregoing reasons, The Parkinson's Institute respectfully requests that this Court		
11	issue an Order approving this proposed substitution of attorney.		
12	DATED: March 6, 2008 CASAS RILEY & SIMONIAN, LLP		
13	han of the same of		
14	By: GREGORY C. SIMONIAN		
15	VALERIE S. HIGGINS Attorneys For Defendant		
16	THE PÅRKINSON'S INSTITUTE		
17	(PROPOSED) ORDER		
18	The Motion of The Parkinson's Institute for approval of substitution of attorney is		
19	GRANTED. Counsel of record for The Parkinson's Institute shall be:		
20			
21	Gregory C. Simonian, Esq. Casas Riley & Simonian, LLP		
22	One First Street, Suite 2 Los Altos, CA 94022		
23	Tel: (650) 948-7200 Fax: (650) 948-7220		
24			
25	IT IS ORDERED. 3/17/08		
26	HIDGE		
27	JĔŔĔŴY FOGEL, US DISTRICT COURT		
28	F:\wpdocs\LITIGATE\CLIENTS\Monitor Liability Managers, Inc\Frayo v. The Parkinson's Institute\Pleadings\Substitution.wpd 2		
	Institute\Pleadings\Substitution.wpd 2 MOTION FOR SUBSTITUTION OF COUNSEL AND ORDER CASE NO. C-07-04942-JF		

EXHIBIT A

	MC-050			
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): L. THEODORE SCHELEY III, ESQ. BAR NO. 148916 CLAPP, MORONEY, BELLAGAMBA AND VUCINICH 1111 Bayhill Drive, Suite 300 SAN BRUNO, CA 94066	FOR COURT USE ONLY			
TELEPHONE NO.: (650) 989-5400 FAX NO. (Optional): (650) 989-5499 E-MAIL ADDRESS (Optional):				
ATTORNEY FOR (Name): Defendant THE PARKINSON'S INSTITUTE SUPERIOR COURT OF CALIFORNIA, COUNTY OF U.S. DISTRICT COURT STREET ADDRESS: 280 S. FIRST STREET MAILING ADDRESS: CITY AND ZIP CODE: SAN JOSE, CA 95113				
BRANCH NAME: NORTHERN DISTRICT - SAN JOSE CASE NAME: LYNDA FRAYO V. THE PARKINSON'S INSTITUTE, et al.				
SUBSTITUTION OF ATTORNEY—CIVIL (Without Court Order)	CASE NUMBER: C-07-04942-JF			
1. Former legal representative Party represented self X Attorney (name): CLAPP, MORONEY, et al. 2. New legal representative Party is representing self* X Attorney a. Name: GREGORY C. SIMONIAN, ESQ. b. State Bar No. (if applicable): 131162 c. Address (number, street, city, ZIP, and law firm name, if applicable): REYNOLDS CASAS & RILEY, LLP ONE FIRST STREET, SUITE 2, LOS ALTOS, CA 94022 d. Telephone No. (include area code): (650) 948-7200 3. The party making this substitution is a plaintiff X defendant petitioner respondent other (specify):				
*NOTICE TO PARTIES APPLYING TO REPRESENT THEMSELVES				
 Guardian Conservator Trustee Personal Representative Probate fiduciary Corporation 	Unincorporated association			
If you are applying as one of the parties on this list, you may NOT act as your o to substitute one attorney for another attorney. SEEK LEGAL ADVICE BEFORE AF	wn attorney in most cases. Use this form PPLYING TO REPRESENT YOURSELF.			
NOTICE TO PARTIES WITHOUT ATTORNEYS A party representing himself or herself may wish to seek legal assistance. Failure to take timely and appropriate action in this case may result in serious legal consequences.				
4. I consent to this substitution. Date: February 26, 2008 THE PARKINSON'S INSTITUTE	Buschachie			
(TYPE OR PRINT NAME)	(SIGNATURE OF PARTY)			
5. X I consent to this substitution. Date: February, 2008 CLAPP, MORO L. THEODORE SCHELEY III, ESO.	NEY, BELLAGAMBA AND VUCINICH			
6. X I consent to this substitution. Date: February / , 2008 GREGORY C. SIMONIAN, ESO. (TYPE OR PRINT NAME) (See reverse for proof of service by mail)	SAS & RILEY, LLP (SIGNATURE OF NEW ATTORNEY) Page 1 of 2			

Form Adopted For Mandatory Use Judicial Council of California MC-050 [Rev. January 1, 2007]



PROOF OF SERVICE

I am employed in the County of Santa Clara, State of California; I am over the age of eighteen years and not a party to the within entitled action; my business address is One First Street, Suite 2, Los Altos, California, 94022-2753.

On March 6, 2008, I served the following document(s):

DEFENDANT THE PARKINSON'S INSTITUTE'S MOTION FOR APPROVAL OF SUBSTITUTION OF ATTORNEY AND (PROPOSED) ORDER

on the following interested parties in said action:

Amy Carlson, Esq. Hinkle, Jachimowicz, Pointer & Emmanuel 2007 West Hedding Street, Suite 100 San Jose, CA 95128

by using the following form of service:

X_ (VIA MAIL) I placed a true copy of the above-referenced documents in a sealed envelope with postage thereon fully prepaid; I caused the envelope to be deposited in the mail at Los Altos, California in accordance with the standard practice of Reynolds Casas & Riley, LLP for collection and processing of correspondence for mailing. I am familiar with the firm's practice for collection and processing of correspondence for mailing. Under that practice, mail is deposited, with postage thereon fully prepaid, with the U.S. Postal Service on the same day in the ordinary course of business.

_____(VIA FACSIMILE) I caused a true copy of the above-referenced documents to be transmitted by facsimile transmission to the person(s) listed above at the fax number last given by that person.

(VIA OVERNIGHT DELIVERY) I placed a true copy of the above-referenced documents in a sealed envelope and caused said envelope to be deposited with an express service carrier for delivery on the following business day to the person(s) listed above by either depositing the envelope in a box or facility regularly maintained by the express service carrier or delivering the envelope to an authorized courier or driver of the express service carrier.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 6, 2008, at Los Altos, California.

Mandi Cantrell

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